

OFFICIAL COPY

Fresno, California

May 22, 2001

The City Council met in regular session at the hour of 9:00 a.m. in the Council Chambers, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Brian Calhoun	Councilmember
	Brad Castillo	Councilmember
	Jerry Duncan	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Acting Council President
	Henry Perea	Council President

Dan Hobbs, City Manager
Hilda Cantu Montoy, City Attorney
Rebecca Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

Pastor Jeffrey Frymire, First Church of God, gave the invocation, and an unidentified Veteran in the audience led the Pledge of Allegiance to the Flag.

APPROVE MINUTES OF MAY 15, 2001

On motion of Councilmember Calhoun, seconded by Acting President Ronquillo, duly carried, RESOLVED, the minutes of May 15, 2001, approved, *as amended*, as follows: on Page 137-243, 1st paragraph, correcting the name Stan Norman to Sam Norman; and on Page 137-248, 3rd paragraph, showing Councilmember Castillo as the third member arriving later (Councilmember Quintero was listed twice).

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APPROVE AGENDA:

(1A-12) APPROVE AMENDMENTS TO AGREEMENTS FOR ADDITIONAL PROFESSIONAL ENGINEERING AND ENVIRONMENTAL SERVICES REQUIRED TO COMPLETE THE FINAL PHASES FOR A REGIONAL PARK/SPORTS COMPLEX AT THE FRESNO SANITARY LANDFILL AS ACKNOWLEDGED BY COUNCIL ACTION ON 4/24/01, AS FOLLOWS:

“a” AMEND THE AGREEMENT WITH GEOSYNTEC CONSULTANTS TO PROVIDE PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES RELATED TO THE LANDFILL CLOSURE (\$128,500)
“b” AMEND THE AGREEMENT WITH GEOSYNTEC CONSULTANTS TO PROVIDE PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES RELATED TO THE LANDFILL CLOSURE (\$20,00)
“c” AMEND THE AGREEMENT WITH CAMP, DRESSER & MCKEE, INC. FOR ENVIRONMENTAL ENGINEERING SERVICES RELATING TO GROUNDWATER REMEDIATION ACTIVITIES AT THE LANDFILL

“d” AMEND THE AGREEMENT WITH BOYLE ENGINEERING CORP. TO PROVIDE PROFESSIONAL LANDSCAPE ARCHITECTURAL/ENGINEERING SERVICES FOR THE PARK/SPORTS COMPLEX AT THE LANDFILL

City Clerk Klisch advised items **“a”**, **“b”** and **“d”** were *being removed from the agenda* at the direction of staff leaving only item **“c”** for action. So noted.

(3D) APPROVE THE PRELIMINARY FY 2002 ANNUAL ACTION PLAN FOR SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME) AND EMERGENCY SHELTER GRANT (ESG) PROGRAM FUNDS, AND AUTHORIZE, UPON CITY ATTORNEY APPROVAL, THE CITY MANAGER TO SIGN ALL HUD DOCUMENTS AND AGREEMENTS FINALIZING AND IMPLEMENTING THE ANNUAL ACTION PLAN

City Clerk Klisch advised a resolution was attached to the item approving the preliminary plan but was inadvertently left off the agenda. So noted and added.

5:15 P.M. AND 5:30 P.M. ITEMS RELATING TO APPEALS FILED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) ON THE PLANNING COMMISSION’S APPROVAL OF TENTATIVE TRACTMAP NOS. 4868/UGM (GRANVILLE HOMES, INC.) AND 4911/UGM (BONADELLE DEVELOPMENT CORP.) (REQUESTS TO CONTINUE TO JUNE 5, 2001)

Councilmember Duncan advised Caltrans had withdrawn their appeals and the hearings would be opened and action taken as scheduled. So noted.

On motion of Councilmember Calhoun, seconded by Councilmember Quintero, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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ADOPT CONSENT CALENDAR:

(1A-2) APPROVE A LEASE AGREEMENT WITH BEDROS MARDIROSIAN FOR A ONE-YEAR PERIOD, WITH MONTH-TO-MONTH EXTENSIONS, AT THE RATE OF \$500.00 PER MONTH OR THE APPRAISED LEASE RATE, IF GREATER, FOR THE LOCATION OF CONSTRUCTION TRAILERS ADJACENT TO THE DOWNTOWN STADIUM PROJECT

(1A-3) AWARD A CONTRACT TO IRWIN SEATING COMPANY IN THE AMOUNT OF \$1,101,340.36 FOR ALTERNATIVE BID A, BASE BID PLUS ADD-ALTERNATE ITEMS A1 AND A2 FOR STADIUM SEATING FOR THE FRESNO AAA MULTI-PURPOSE SPORTS STADIUM

(1A-9) RESOLUTION NO. 01-159 - APPROVING THE SUBMITTAL OF A PRE-APPLICATION AND/OR APPLICATION FOR \$584,600 TO THE NATIONAL PARK SERVICES FOR FUNDING UNDER THE FY 2001 URBAN PARKS AND RECREATION RECOVERY PROGRAM (UPARR), AND AUTHORIZING THE PARKS AND RECREATION DIRECTOR OR DESIGNEE TO EXECUTE AND SUBMIT ALL DOCUMENTS, INCLUDING BUT NOT LIMITED TO PRE-APPLICATIONS, APPLICATIONS, AGREEMENTS, AMENDMENTS AND PAYMENT REQUESTS WHICH MIGHT BE NECESSARY FOR THE COMPLETION OF THE PROJECT

At the outset of the adoption of the consent calendar Councilmember Calhoun commended the International Brotherhood of Electrical Workers (Local Union 100), the Plumbers , Pipe and Refrigeration Fitters (UALU 246), the California Conservation Corps, and the Local Conservation Corps for their voluntary contribution hours and emphasized wonderful people and unions were making this happen.

(1A-10) RESOLUTION NO. 01-160 - INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

a. RESOLUTION NO. 01-161 - INTENT TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

(1A-12) APPROVE AMENDMENTS TO AGREEMENTS FOR ADDITIONAL PROFESSIONAL ENGINEERING AND ENVIRONMENTAL SERVICES REQUIRED TO COMPLETE THE FINAL PHASES FOR A REGIONAL PARK/SPORTS COMPLEX AT THE FRESNO SANITARY LANDFILL AS ACKNOWLEDGED BY COUNCIL ACTION ON 4/24/01, A FOLLOWS:

“c” AMEND THE AGREEMENT WITH CAMP, DRESSER & MCKEE, INC. FOR ENVIRONMENTAL ENGINEERING SERVICES RELATING TO GROUNDWATER REMEDIATION ACTIVITIES AT THE LANDFILL

(1A-15) * RESOLUTION NO. 01-162 - 141ST AMENDMENT TO AAR 00-183 APPROPRIATING \$22,400 OF DISTRICT 3'S GENERAL FUND INFRASTRUCTURE TO FUND VARIOUS COMMUNITY PROGRAMS AS FOLLOWS: \$2,000 FOR SUSAN B. ANTHONY ELEMENTARY SCHOOL; \$2,000 FOR MCKINLEY ELEMENTARY SCHOOL; \$2,000 FOR MADISON ELEMENTARY SCHOOL; \$400 FOR SOUTH CENTRAL TOURNAMENT; \$5,000 FOR EL CAPITAN SCHOOL; \$5,000 FOR EDISON HIGH SCHOOL; \$5,000 FOR CENTRAL HIGH SCHOOL; AND \$1,000 FOR ASSOCIATION OF MEXICAN AMERICAN EDUCATORS - ACTING PRESIDENT RONQUILLO

(1A-16) RESOLUTION NO. 01-163 - 142nd AMENDMENT TO AAR 00-183 APPROPRIATING \$300 OF DISTRICT 7'S GENERAL FUND INFRASTRUCTURE TO FUND THE SOUTH CENTRAL SOFTBALL TOURNAMENT - PRESIDENT PEREA

On motion of Councilmember Castillo, seconded by Councilmember Calhoun, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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CONTESTED CONSENT ITEM(S):

(1A-4) APPROVE THE AIRPORT TRAVEL AGENCY LEASE AND CONCESSION AGREEMENT WITH MUNDO TRAVEL CORPORATION AT THE FRESNO YOSEMITE INTERNATIONAL AIRPORT, AND AUTHORIZE THE DIRECTOR OF TRANSPORTATION TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE SAID AGREEMENT

Chandler Airport Superintendent Card responded to questions of Councilmember Calhoun relative to advertising undertaken, if any, and if Mundo Travel was the only bidder. Councilmember Calhoun stated he was not convinced thorough due diligence had been done and was not comfortable with one company wanting the space and made a motion to refer the matter back to staff to look into whether the matter should be put out to bid and if the \$6,240 in revenue (rent) was an appropriate amount.

Discussion ensued with Mr. Card and City Attorney Montoy responding to questions/comments of Councilmembers Castillo and Ronquillo and clarifying issues relative to newspaper advertising, need for competition, rates and policy charges, if any incentives were offered to potential travel agency tenants, possibility of incentives violating FAA requirements, how long the premises had been vacant, staff's recommendation being permissible, and impact if the matter were delayed two weeks. Councilmember Duncan spoke in opposition to the motion stating this was a clear business opportunity with a company willing to pay the appropriate rates and stressed the airport needed to provide these types of critical services for its customers.

Mr. Card and City Manager Hobbs responded to additional questions and/or comments of Councilmembers Boyajian, Castillo, Duncan and Calhoun relative to the proposed two week delay, if Mundo Travel was the first company to express in interest in leasing space in the past two years, if the rent was reasonable, staff's efforts in securing the subject tenant, the ten month process in dealing with the proposed tenant and why it took that long, Bakersfield offering incentives (with Councilmember Castillo stating Bakersfield offered incentives and there were travel agencies who had connections to airlines and asked for better rates), if this was an exclusive lease, and the need for complete and all relevant information in staff reports.

On motion of Councilmember Calhoun, seconded by Councilmember Castillo, duly carried, RESOLVED, the above entitled Item **1A-1** laid over two weeks to allow staff to provide the requested information, by the following vote:

Ayes	:	Calhoun, Castillo, Quintero, Perea
Noes	:	Boyajian, Duncan, Ronquillo
Absent	:	None

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Visiting students from Mt. View Elementary School were recognized and welcomed.

(9:50 A.M.) RESOLUTION NO. 01-164 - SUPPORTING THE REDISTRIBUTION OF THE F-15 FIGHTER AIRCRAFT TO THE CALIFORNIA AIR NATIONAL GUARD'S 144TH FIGHTER WING - COUNCILMEMBER CASTILLO

Reviewed by Councilmember Castillo who spoke to the importance of bringing the aircraft to Fresno, commended the Air National Guard (ANG), and upon his request City Clerk Klisch read the resolution into the record **(2 - 0)**. An unidentified representative of the 144th Fighter Wing thanked Council for their support and President Perea commented briefly on the competition for the fighters and commended Councilmember Castillo and the ANG for bringing the matter forward.

On motion of Councilmember Castillo, seconded by Councilmember Duncan, duly carried, RESOLVED, the above entitled Resolution No. 01-164 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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CONTESTED CONSENT ITEMS - CONTINUED:

(1A-5) AUTHORIZE THE CITY MANAGER OR DESIGNEE TO ENTER INTO AN AGREEMENT WITH WALKER PARKING CONSULTANTS TO PROVIDE SERVICES FOR CREATING A MASTER PARKING AND FINANCING PLAN FOR DOWNTOWN FRESNO

Councilmember Calhoun stated no information was included in the Council packet and made a motion to lay the matter over two weeks, which was seconded by Councilmember Castillo. City Clerk Klisch advised the staff report was placed in the front portion of Council's packets and explained the printing process and why the item was placed in the front. Councilmembers Duncan and Ronquillo spoke in opposition to the motion and to importance of moving forward on the matter. Councilmember Castillo withdrew his second to the motion and made a motion to approve staff's recommendation.

Barbara Hunt, 944 'F' Street, spoke to the issue.

Councilmember Boyajian stated he was frustrated with spending money for so many consultants and parking continues to be an issue, and along with President Perea presented questions relative to why a consultant was needed, if funding was available, if Fresno County and the State were bringing money to the table for their needs, what the prior \$3.5 million appropriation was for, and issues relative to an EIR, with Councilmember Duncan and Bob Baida of the City Manager's office responding to questions and clarifying issues.

On motion of Councilmember Castillo, seconded by Acting President Ronquillo, duly carried, RESOLVED, the City Manager/Designee authorized to enter into a professional services agreement with Walker Parking Consultants to provide consultant services to create a master parking/financing plan for downtown Fresno, by the following vote:

Ayes	:	Boyajian, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	Calhoun
Absent	:	None

(1A-7) * RESOLUTION NO. 01-165 - 139TH AMENDMENT TO AAR 00-183 APPROPRIATING \$196,816 FOR THE POSITIVE ALTERNATIVE PROGRAMS (PAP) COMPONENT OF THE DELINQUENCY PREVENTION PROGRAM (DPP)

Upon question of Councilmember Calhoun, Chief Winchester clarified the funds were available but due to an oversight they had not been included or appropriated in the FY 01 budget, and responded to additional questions of Councilmember Castillo relative to the grant.

Barbara Hunt, 944 “F” Street, spoke in support.

On motion of Councilmember Calhoun, seconded by President Perea, duly carried, RESOLVED, the above entitled Resolution No. 01-165 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

(1A-8) * RESOLUTION NO. 01-166 - 137TH AMENDMENT TO 00-183 APPROPRIATING \$105,000 OF OCJP FUNDS TO CONTINUE THE OPERATION OF THE VIOLENCE AGAINST WOMEN LAW ENFORCEMENT SPECIALIZED UNITS PROGRAM GRANT

Upon question of Councilmember Calhoun, Chief Winchester stated this matter was similar to the preceding one in that the funds should have been appropriated shortly after the grant was approved but weren’t due to an oversight, and responded to questions of Councilmember Castillo relative to the grant term.

On motion of Councilmember Calhoun, seconded by Acting President Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 01-166 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

(1A-11) APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH YAMABE AND HORN ENGINEERING, INC., FOR DESIGN OF PLANS AND GENERAL CONSTRUCTION DOCUMENTS FOR WIDENING OF HERNDON AVENUE BETWEEN WEST AND MARKS AVENUES; AND AUTHORIZE THE ASSISTANT CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY

City Construction Engineer Kassabian, City Attorney Montoy and City Engineer Salazar responded to questions, comments and/or concerns of Councilmembers Castillo and Boyajian relative to when negotiations took place, if the project was part of the general plan, if the proposed consultant was involved in litigation with the City, number of lanes being planned, and impact fees and why taxpayers were paying for the plan and not developers/development along the corridor. A motion and second was made to approve staff’s recommendation.

Barbara Hunt, 944 “F” Street, spoke to the issue. Councilmembers Quintero and Castillo briefly left the meeting at 10:20 and 10:21 a.m. respectively.

On motion of Councilmember Duncan, seconded by Acting President Ronquillo, duly carried, RESOLVED, the professional services agreement with Yamabe and Horn Engineering, Inc., for design plans for the Herndon Avenue widening project between West and Marks Avenues hereby approved, by the following vote:

Ayes	:	Calhoun, Duncan, Ronquillo, Perea
Noes	:	Boyajian
Absent	:	Castillo, Quintero

(1A-13) * RESOLUTION NO. 01-167 - 138th AMENDMENT TO AAR 00-183 TRANSFERRING \$300,000 OF FACILITIES CONTINGENCY FUNDS TO PAY UTILITY BILLS AT VARIOUS CITY OF FRESNO FACILITIES

Interim DAS Director Gargiulo responded to questions of Councilmember Calhoun relative to reasons for the shortfall and why more funds were not budgeted to pay for City utility services. A motion and second was made to adopt the resolution. Councilmembers Castillo and Quintero returned to the meeting at 10:23 a.m.

Barbara Hunt, 944 "F" Street, spoke to the issue.

President Perea noted the cost of power would be increasing 30 to 40% and he wanted to make sure those costs were reflected in next year's budget.

On motion of Councilmember Calhoun, seconded by Acting President Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 01-167 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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(1A-14) APPROVE AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH BLAIR, CHURCH AND FLYNN CONSULTING ENGINEERS FOR FINAL DESIGN OF PLANS AND CONSTRUCTION DOCUMENTS FOR THE NORTH AVENUE TRUNK SEWER

Upon question of Acting President Ronquillo, City Construction Engineer Kassabian stated the issue dealt strictly with the trunkline design.

On motion of Acting President Ronquillo, seconded by Councilmember Quintero, duly carried, RESOLVED, Amendment No. 1 to the professional services agreement with Blair Church and Flynn for the North Avenue Trunk Sewer hereby approved, and the Public Works Director authorized to sign the amendment on behalf of the City, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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(1A-1) AUTHORIZE THE CITY TO ARRANGE FOR A TEN-YEAR FINANCING OF ONE (1) TROMMEL SCREEN, TWO (2) RADIAL STACKING CONVEYORS, ONE (1) 16-MAN PICKING STATION, AND ONE (1) WHEEL LOADER TRACTOR REQUIRED TO PROCESS GREEN WASTE UNDER THE EXISTING MASTER EQUIPMENT LEASE-PURCHASE AGREEMENT WITH PITNEY BOWES CREDIT CORPORATION

Interim DPU Director McIntyre responded to questions and/or comments/concerns of Councilmembers Boyajian, Quintero and Castillo relative to why a ten year financing plan was being requested when the City only had a 5-year contract, consequence if the City were not to get the contract after expiration, the City contributing additional funds, if the mixing of green waste and bio-solids was still being planned, if Fresno County was planning to ban bio-solids, the City's plans relative to disposal and marketing, the proposal and amount of money involved (with Councilmember Quintero stating maybe the matter should be delayed and consider entering into discussions with the County relative to what they were doing and a possible joint plan), why the contract and terms were not presented a year ago, explanation of the City's five-year contract, and if it would be feasible and if it was a good idea to extend the 5-year contract to ten years. A motion and second was made to approve staff's recommendation. Acting President Ronquillo commented briefly on the issue stating it was a good plan and the right direction to go.

Barbara Hunt, 944 "F" Street, spoke in opposition.

On motion of Councilmember Castillo, seconded by Councilmember Duncan, duly carried, RESOLVED, the City authorized to arrange for a ten-year financing of needed "green waste" processing equipment listed under the existing Master Equipment Lease-Purchase Agreement with Pitney Bowes Credit Corporation to pay for its purchase and financing, by the following vote:

Ayes	:	Calhoun, Castillo, Duncan, Ronquillo, Perea
Noes	:	Boyajian, Quintero
Absent	:	None

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(10:00 A.M.) PRESENTATION BY THE COALITION FOR URBAN RENEWAL EXCELLENCE (CURE) REGARDING THE PROGRAM AND POSSIBLE CITY ASSISTANCE - PRESIDENT PEREA

1. REQUEST CITY MANAGER TO DIRECT STAFF TO RETURN ON 6/5/01 WITH A RESOLUTION APPROPRIATING \$10,000 OF DISTRICT 3'S GENERAL FUND INFRASTRUCTURE FUNDS TO CURE - ACTING PRESIDENT RONQUILLO

Acting President Ronquillo spoke in support of CURE and gave an overview of the program and commented on the need to form public-private partnerships for the benefit of agencies who could not hold title due to liability issues.

****An additional visiting class from Mt. View Elementary School was recognized and welcomed.**

Dirk Poeschel stated CURE was a non-profit corporation who purchased abandoned homes, rehabilitated them with private capital and sold them on the open market to qualified buyers, displayed a before-and-after photo of one rehabilitated home, spoke of the benefits to the community, and requested the City's financial assistance in developing \$100,000 in seed money which would be matched by Wells Fargo Bank to rehab ten to twelve homes per year.

President Perea and Councilmembers Duncan and Boyajian spoke in strong support of the program and commended Acting President Ronquillo and CURE. Acting President Ronquillo commented additionally on the program and funding and clarified the intent was to create housing with a monthly payment equal to or less than rent payments. Mr. Poeschel responded briefly to questions of Councilmember Quintero relative to how much money had been raised to date and the deadline.

On motion of Acting President Ronquillo, seconded by Councilmember Calhoun, duly carried, RESOLVED, the City Manager requested to direct staff to return on June 5, 2001, with a resolution appropriating \$10,000 from District 3's general fund infrastructure funds to CURE, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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(10:15 A.M.) RESOLUTION - EXPRESSING SUPPORT OF OUR LOCAL STATE LEGISLATORS TO INITIATE EMERGENCY LEGISLATION TO ADOPT A STATEWIDE PLANNED EMERGENCY BLOCK OUTAGE PROGRAM, AND TO ORDER THE PUBLIC UTILITIES COMMISSION (PUC) TO RE-EVALUATE THE STATEWIDE FORMULA FOR BASELINE USAGE - PRESIDENT PEREA AND COUNCILMEMBER CASTILLO AS AMENDED, BIFURCATING THE TWO ISSUES

1. RESOLUTION NO. 01-168 - EXPRESSING SUPPORT OF OUR LOCAL STATE LEGISLATORS TO INITIATE EMERGENCY LEGISLATION TO ADOPT A STATEWIDE PLANNED EMERGENCY BLOCK OUTAGE PROGRAM

Reviewed by President Perea who commented on the energy crisis, business and residents' concerns relative to the unpredictability of rolling blackouts, and what could be done differently to secure lower costs, and advised he was bifurcating the two issues into two resolutions at the request of some councilmembers.

Councilmember Castillo spoke to the need for predictability of blackouts for people on medical devices, those who are immobile, seniors and children, and on the need to send a message to local state legislators that Fresno wanted this to happen, and made a motion to adopt Resolution #1, which was seconded by President Perea. President Perea advised the draft resolution had been sent to the state legislators this past week with positive responses from Assembly members Briggs and Reyes and stated from his perspective there was urgency to the legislation. Councilmembers Duncan and Calhoun spoke in support of the issue and to the need to keep pressure on.

Councilmember Quintero noted correspondence had been received from Assembly member Reyes and entered it into the record, a copy of which is on file in the office of the City Clerk. Acting President Ronquillo clarified Assembly member Reyes was requesting a resolution of support for work and efforts being done and brief discussion ensued on the intent of the subject resolution and the matter being a political issue.

At this point a vote was taken on the resolution and approved 6 to 1, with Acting President Ronquillo voting "No", whereupon it was determined public comment had not been called for.

Barbara Hunt, 944 "F" Street, spoke in opposition.

Upon call for a roll call vote Councilmember Boyajian questioned the motion, stated everyone needed to work together on the energy issue, clarified he supported the matter 100% but wondered if taking this action would hinder Fresno as stated by Acting President Ronquillo, and expressed concern and questioned the intent of the resolution

and Council's jurisdiction, with President Perea responding. Councilmember Duncan noted a vote had already been taken and the resolution was approved, and discussion ensued on the legality of the vote. City Attorney Montoy clarified a vote had been taken but it was done incorrectly as no public input had been called for and that a new vote was now necessary.

Discussion continued on the intent of the resolution. Councilmember Boyajian questioned if Council was unhappy with the state's current efforts with President Perea stating residents were asking for predictability and all Council would be doing was *requesting* legislators to mandate legislation. Councilmember Duncan stated the resolution would also send the message that Fresno supported their legislators and was with them on this critical issue adding he hoped pressure the sixth largest city in the state would have some impact. Acting President Ronquillo clarified he would support the resolution if it reflected Council was supporting legislators' efforts.

On motion of Councilmember Castillo, seconded by President Perea, duly carried, RESOLVED, the above entitled Resolution No. 01-168 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

2. RESOLUTION NO. 01-169 - ORDERING THE PUBLIC UTILITIES COMMISSION (PUC) TO RE-EVALUATE THE STATEWIDE FORMULA FOR BASELINE USAGE

President Perea stated at issue was the PUC's authority to establish baseline usage and the ability of people to pay their energy bills adding his greatest concerns were seniors and low/fixed-income residents; **(4 - 0)** stated although the baseline had been raised it did not come close to meeting the demand; and made a motion to adopt the resolution which would ask our legislators to support emergency legislation mandating the PUC to reevaluate their entire baseline system program to obtain more appropriate baselines for the different areas in the state.

Councilmember Calhoun spoke in opposition stating he felt President Perea's presentation was made on assumptions, he felt this was premature and believed the PUC had taken the best information they had available and were applying it, and that Council needed to wait and see how the system worked. Acting President Ronquillo explained how the baseline system worked, clarified local legislators were already saying baselines in the different areas of the state needed to be negotiated differently, and stated he did not feel Council should try to duplicate that effort and it was not wise for the City to enter the political arena at this time. Councilmember Duncan stated he would enthusiastically support the resolution, noted his concerns were the skyrocketing rates and the need for seniors to keep their homes as comfortable as possible, stressed it was incumbent upon Council to show leadership and promote something that may ultimately save a life and it was important for the city to stay unified and demand solutions, and commented on Fresno being the only city in California taking a emergency action plan for heat relief. Councilmember Quintero added the resolution would show Council's support of the legislators in what they were doing and would also give them extra clout to relay the message of all constituents. President Perea and Councilmember Castillo added Council was not working in conflict with anything that was occurring in Sacramento and that a message would be sent to Washington that Fresno was being proactive and was not going wait to see what happened next. A motion and second was made to adopt the resolution.

Barbara Hunt, 944 "F" Street, spoke to the issue.

On motion of Councilmember Castillo, seconded by Councilmember Duncan, duly carried, RESOLVED, the above entitled Resolution No. 01-169 hereby adopted, by the following vote:

Ayes	:	Boyajian, Castillo, Duncan, Quintero, Perea
Noes	:	Calhoun, Ronquillo
Absent	:	None

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(10:30 A.M.) CLOSED SESSION:

(A) CONFERENCE WITH LABOR NEGOTIATOR - EMPLOYEE ORGANIZATIONS: FCEA; ATU LOCAL 1027; FAPOFA; CFMEA; CFPEA, FPOA; IBEW LOCAL 100 AND STATIONARY ENGINEERS LOCAL 39

(B) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: CASE NAME: GARY DINSDALE V. COF. ET AL.

(D) CONFERENCE WITH LEGAL COUNSEL - FRIEND-OF-THE-COURT-PARTICIPATION - CASE NAMES:

1. AMICUS BRIEF - AMELCO ELECTRIC V. CITY OF THOUSAND OAKS
2. CITY OF AUBURN, ET A. V. QWEST (NINTH CIRCUIT COURT OF APPEALS, 4/24/01)

(E) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION - CASE NAME: CLAIM OF ESTELA AGUIRRE;

The Council met in closed session in Room 2125 at the hour of 11:35 a.m. to consider the above issues and recessed for lunch thereafter.

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LUNCH RECESS - 12:30 P.M. - 1:30 P.M.

(C) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - CASE NAME: CITY OF FRESNO V. CITY OF CLOVIS, COUNTY OF FRESNO AND LAFCO - PRESIDENT PEREA

The Council reconvened in closed session in Room 2125 at the hour of 1:35 p.m. to consider the above issue and reconvened in regular open session at 2:38 p.m. Councilmembers Calhoun and Ronquillo arrived later.

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CLOSED SESSION RESULTS:

1. In re Item “**D-1**”, Amelco v. City of Thousand Oakes, Request for Friend of the Court Participation, Case pending before the California Supreme Court re doctrine of abandonment under public works construction contract, Council approved joining as amicus by a 5 to 0 vote with Councilmembers Quintero and Ronquillo absent.

2. In re Item “D-2”, Auburn et al v. Qwest, Request for Friend of the Court Participation, Case before the Ninth Circuit Court of Appeals re authority of local jurisdictions to manage public rights of way under federal Telecommunications Act of 1996, Council approved joining as amicus by a 5 to 0 vote with Councilmembers Quintero and Ronquillo absent.

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(3A) * BILL NO. B-52 - ORDINANCE NO. 01-47 - AMENDING SECTION 2-207 OF THE FRESNO MUNICIPAL CODE RELATING TO THE CRITERIA TO BE USED TO FIX DISTRICT BOUNDARIES

On motion of Councilmember Castillo, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled Bill No. B-52 adopted as Ordinance No. 01-47, by the following vote:

Ayes	:	Boyajian, Castillo, Duncan, Quintero, Perea
Noes	:	None
Absent	:	Calhoun, Ronquillo

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(3B) * BILL NO. B-49 - ORDINANCE NO. 01-48 - AMENDING SECTION 2-1703(a) OF THE FRESNO MUNICIPAL CODE RELATING TO THE PAYMENT OF A STIPEND TO THE NON-EMPLOYEE RETIREMENT BOARD MEMBERS

a. * BILL NO. B-50 - ORDINANCE NO. 01-49 - AMENDING SECTION 2-1803(a) OF THE FRESNO MUNICIPAL CODE RELATING TO THE PAYMENT OF A STIPEND TO THE NON-EMPLOYEE RETIREMENT BOARD MEMBER

On motion of Councilmember Quintero, seconded by President Perea, duly carried, RESOLVED, the above entitled Bill Nos. B-49 and B-50 adopted as Ordinance Nos. 01-48 and 01-49, by the following vote:

Ayes	:	Boyajian, Castillo, Duncan, Quintero, Perea
Noes	:	None
Absent	:	Calhoun, Ronquillo

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(3D) RESOLUTION - APPROVING THE PRELIMINARY FY 2002 ANNUAL ACTION PLAN FOR SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME) AND EMERGENCY SHELTER GRANT (ESG) PROGRAM FUNDS, AND AUTHORIZE, UPON CITY ATTORNEY APPROVAL, THE CITY MANAGER TO SIGN ALL HUD DOCUMENTS AND AGREEMENTS FINALIZING AND IMPLEMENTING THE ANNUAL ACTION PLAN

City Attorney Montoy noted her office had been requested earlier to look into the 30-day public comment period and recommended the matter be laid over to the continued budget hearing on May 29th. Acting President Ronquillo arrived at 2:41 p.m. President Perea stated public comment would be allowed for those present. Councilmember Calhoun arrived at 2:42 p.m.

Speaking to the issue were: Jeff Talia, 1408 “N” Street, representing the Central Valley YMCA, who requested the HCDC’s funding recommendation be considered; and Barbara Hunt, 944 “F” Street.

Upon recommendation of the City Attorney and with Council concurrence the matter was laid over one week.

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(5C) DISCUSSION OF OPPORTUNITY TO RENAME “M” STREET TO INDEPENDENCE AVENUE - COUNCILMEMBER CALHOUN

Laid over two weeks at the direction of Councilmember Calhoun.

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(5A) DISCUSSION REGARDING RESOLUTION NO. 01-60 PERTAINING TO EXPANSION OF SALARY RANGE FOR SPECIFIC POSITIONS (INCLUDED WITH THE IAFF MOU MATTER) - COUNCILMEMBER CALHOUN

Councilmember Calhoun noted the subject resolution had been included in a larger packet of information pertaining to the Firefighters MOU, advised the City Manager, as requested, provided a report relative to implications of the expanded ranges and if that was common practice, and upon Councilmember Calhoun's request, Mr. Hobbs addressed his memo to Council clarifying no one directly benefitted at that time with a pay increase and concurred with Council's concern on how the resolution was “tucked away” in the larger packet adding such issues would be more clearly identified in the future. Acting President Ronquillo expressed his concern stating he still felt Council was “snookered” and he was about to go to the press and explained. Councilmember Castillo stated he hoped Council would afford the City Manager the opportunity to deal with the issue in an appropriate way adding how he handled it would establish how Council would view him as a leader of departments. Mr. Hobbs further explained stating it was important to understand the resolution brought the salary range for general executive employees up to the same level as police and fire executive employees and reiterated staff agreed there was a better way to have presented it. Brief discussion ensued with Councilmember Boyajian expressing his concern with the number of top management employees and their salaries and upon question, Acting President Ronquillo clarified his concerns, stated he had the names associated with the E1, E2 and E3 ranges, and reiterated the item was misleading and should have been made clear. President Perea concurred the resolution would not have been found without a magnifying glass and stated this discussion was needed. There was no further discussion.

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(5B) RESOLUTION NO. 01-170 - SUPPORTING THE INCLUSION OF FRESNO RAIL CONSOLIDATION IN THE 2001 FRESNO COUNTY REGIONAL TRANSPORTATION PLAN UPDATE - PRESIDENT PEREA AND COUNCILMEMBER CALHOUN

Briefly reviewed by Councilmember Calhoun who stated this would not obligate Council to anything other than to state Council wanted rail consolidation in the Regional Plan.

Barbara Hunt, 944 “F” Street, spoke to the issue.

On motion of Councilmember Calhoun, seconded by Acting President Ronquillo, duly carried, **RESOLVED**, the above entitled Resolution No. 01-170 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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(1:00 P.M.) CONTINUED HEARING ON FY 02 CITY OF FRESNO BUDGET

CONVENTION CENTER:

Convention Center Director Valdez gave a brief overview of FY 01's highlights and the department's proposed FY 02 budget, and along with Budget Manager Bruney responded to questions of Councilmember Calhoun relative to operating resources, contract extra help, plan for generating new revenues, the \$250,000 decrease in the Convention and Visitors Bureau (CVB) budget, and the proposed establishment of a Film Commission. Councilmember Calhoun expressed concern with the CVB's decrease citing the success of the convention center and stated maybe this was not the right time to add a Film Commission.

MOTION - Councilmember Calhoun - Restore \$250,000 to the Convention and Visitors Bureau and delete the proposed Film Commission.

Speaking to the issue and/or in support of restoring the \$250,000 to the CVB were: Lloyd Kennedy, Executive Director, CVB (**5 - 0**); Bob Duncan, 4654 E. Shields, CVB Board Member; Art Drolette, 5504 E. Gettysburg, President, Dixieland Society; Jim Pardini, 6560 N. Sequoia, CVB Board Member; and Barbara Hunt, 944 "F" Street.

Councilmember Duncan spoke in support of the CVB motion and requested a resolution be sent to Fresno County relative to their CVB funding and expenditure requirements stating they needed to be more flexible.

MOTION - Councilmember Duncan - Open negotiations to extend the Fresno Falcon's contract.

MOTION - Councilmember Duncan - Fund the proposed Film Commission with a funding source to be determined by the Mayor.

Acting President Ronquillo commented on the importance of the CVB to the city and encouraged the Mayor to look at the convention center's budget for funding the film commission, and along with Councilmember Boyajian, President Perea and City Manager Hobbs, presented questions and/or made comments relative to the new Save Mart Arena, the Water Tower Project, convention center revenues and ideas for generating revenues, \$250,000 being seed money the first year for the film commission, keeping the film commission issue open for the deputy mayor to address, the center's debt redemption, and increases in various line items, with Mr. Valdez and Mr. Bruney responding and/or clarifying issues. Mr. Kennedy responded to questions of Councilmember Quintero relative to whether the motion made to restore the \$250,000 would bring the CVB's budget back to last year's funding level, the motion and CVB's budget, the proposed \$50,000 for special events being the same as last year, and the CVB's rent.

MOTION - Councilmember Quintero - Waive \$80,000 in rent for CVB.

Convention Center and CVB staff were commended and there was no further discussion.

POLICE DEPARTMENT:

City Manager Hobbs clarified the police department's budget was increasing by \$5million from last year emphasizing that fact reflected the City's priorities.

Chief Winchester gave an overview of the city's crime trends over the past year, the department's accomplishments, and the goals for FY 02.

Speaking to the issue: Annette Carter, 1201 Scott, Apt. 129, Center for Independent Living, who recommended officers be stationed at various intersections at all times to catch red-light runners and speeders to generate revenues **(6 - 0)**; Vicky McDaniel, 5423 N. Bond, who spoke on pedestrian safety and the need to address unsafe drivers; Barbara Hunt, 944 "F" Street, who spoke to the need for an audit; and Gene Zimmerman, FCEA Business Representative, and Bonnie Eckhart, 122 E. Normal, Police Dispatcher, who spoke to the plight of police dispatchers and the need to fill vacancies.

Mr. Hobbs, Chief Winchester, Budget Manager Bruney and Deputy Chief Frost responded to questions of President Perea and Councilmembers Calhoun and Duncan and/or clarified issues relative to whether privatization had ever been considered to recruit hard-to-fill positions, process in scrutinizing grant-funded positions, overall increase in the departments' budget, total full-time positions staying the same as FY 01, reduction/reallocation of positions and insuring patrol officers were not being cut, and revenues and the red-light camera program.

MOTION - Councilmember Duncan - Review contract law enforcement program for cost (with Councilmember Duncan stating it might be too low.)

MOTION - Councilmember Duncan - Funding the Crime Stoppers program at the current level.

MOTION - Councilmember Duncan - Conduct an independent budget scrub on the department and review results by October 1st to ensure the best investment of dollars.

MOTION - Councilmember Duncan - Review police dispatcher issues and provide an action plan to ensure positions are filled.

Councilmember Duncan directed staff review and develop a proposal to adopt a 3-1-1 Program for non-emergency calls.

Acting President Ronquillo commented on the need to address the increase in crime numbers and along with Councilmember Castillo presented questions relative to status of the property room investigation, funding for the DARE program, filling of vacant positions, additional positions proposed for the Chief's Office, what was needed to fill vacant positions and giving Council options, **(7 - 0)** and number of dispatcher vacancies and when determination was made to replace someone out on medical leave, with Chief Winchester, Deputy Chief Fifield, Mr. Bruney, Communications Manager Durbin and City Attorney Montoy responding. Acting President Ronquillo left at 4:47 p.m. and returned later in the meeting.

MOTION - Councilmember Castillo - Reduce the amount of overtime in the department.

Councilmember Castillo stated he wanted staff to look at the overtime reduction by means of hiring officers and filling vacant positions to eliminate call-back occurrences, and encouraged an open recruitment process be in place, with Chief Winchester responding.

Extensive discussion ensued with Deputy Chief Frost, Chief Winchester and Budget Manager Bruney responding to questions and comments of Councilmembers Boyajian, Quintero and President Perea and/or clarifying issues relative to the central police sub-station, the speeding problem, revenue sharing with Fresno County, grant funding, plans for balance of the carryover account, effectiveness of the DARE and Mounted Patrol programs, the Nitro program, plans for the southeast dressing station, timeline to receive a report on the police dispatcher issue and if salary was an issue, need to review the current recruitment process and look into privatization, ISD charges, reason for the department's total increase, if agreement had been reached with police management, the northeast police substation and funds budgeted, amount of overtime last year and amount proposed for FY 02, reason for increase in contingencies under Office of the Chief division, how management staff was held accountable for their overtime budgets, if managers were evaluated for salary increases, reason for increase in crime, amount requested and not included in the FY 02 budget, where reductions/cuts were being made, and the need to fill current vacancies.

President Perea noted this was Chief Winchester's last budget and commended him for his contributions to the department and community. Chief Winchester stated it was an honor serving the community for 34 years and he would continue to contribute in any way he could in other areas. There was no further discussion.

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The budget hearing was interrupted at this point to consider the following time scheduled matters:

- (5:00 P.M.) HEARING ON PLAN AMENDMENT NO. PA-00-19 AND REZONING APPLICATION NO. R-00-37 AND ENVIRONMENTAL FINDINGS, FILED BY CAMBRIDGE HOMES, PROPERTY LOCATED ON THE EAST SIDE OF N. CHESTNUT BETWEEN E. SHEPHERD AND TE. TEAGUE AVENUES**
- 1. CONSIDER AND ADOPT ENVIRONMENTAL ASSESSMENT/NEGATIVE DECLARATION NO. A-00-19, R-00-37, TT-4979, DATED FEBRUARY 26, 2001**
 - 2. RESOLUTION NO. 01-171 - AMENDING THE WOODWARD PARK COMMUNITY PLAN**
 - 3. BILL NO. B-54 - ORDINANCE NO. 01-50 - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM AL-20 (COUNTY) TO R-1/UGM**

President Perea announced the time had arrived to consider the issue and opened the hearing. Councilmember Duncan stated the project had been reviewed by the Northeast Implementation Committee and the Planning Commission who both approved it, noted the applicant had offered to contribute to a Caltrans nexus fund that would be used ultimately to determine a regional impact fee for land use, and made a motion to approve staff's recommendation, which was seconded and acted upon after discussion.

Barbara Hunt, 944 "F" Street, spoke in support.

Planning Manager Haro reviewed the staff report as submitted and recommended approval subject to conditions outlined in the report.

Councilmember Boyajian spoke at length in opposition stating the negative declaration was invalid and the study was deficient and elaborated, expressed concern stating development did not pay its way (**8 - 0**) and priorities had changed to the northeast, and stated staff needed to learn about CEQA to better serve the community.

Upon call, no one else wished to be heard and President Perea closed the hearing.

On motion of Councilmember Duncan, seconded by Councilmember Castillo, duly carried, RESOLVED, the finding of a Mitigated Negative Declaration for Environmental Assessment No. A-00-19, R-00-376, T-4979 dated February 26, 2001 hereby approved; the above entitled Resolution No. 01-171 hereby adopted; and the above entitled Bill No. B-54 adopted as Ordinance No. 01-50, by the following vote:

Ayes	:	Calhoun, Castillo, Duncan, Quintero, Perea
Noes	:	Boyajian
Absent	:	Ronquillo

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(5:15 P.M.) HEARING ON APPEAL FILED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION ON PLANNING COMMISSION APPROVAL OF TENTATIVE TRACT NO. 4868/UGM (GRANVILLE HOMES), PROPERTY LOCATED ON THE NORTHWEST AND SOUTHWEST CORNERS OF E. TEAGUE AND N. WILLOW AVENUES (REQUEST TO CONTINUE TO JUNE 5, 2001)

1. CONSIDER ADDENDUM TO E.A. NO. A-00-12, R-00-31, T-4868, DETERMINATION OF INITIAL STUDY TO FILE A MITIGATED NEGATIVE DECLARATION
2. RESOLUTION - MAKING FINDINGS UNDER CEQA GUIDELINES AND APPROVING VESTING TENTATIVE TRACT NO. 4868/UGM, A 377-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

President Perea announced the time had arrived to consider the issue and opened the hearing. Councilmember Duncan noted Caltrans had withdrawn its appeal and the developer had reached agreement with the City and area residents, and made a motion to accept the withdrawal, which was seconded and acted upon after discussion.

Jeremy Hofer, 415 E. Yale, spoke in opposition to the subject issue, the prior 5:00 item and the following 5:30 item.

Upon question, Planning Manager Haro confirmed the appeal had been withdrawn and the developers of the three items provided written responses to contribute to the cost of preparing an appropriate nexus study to determine the impact fees for all who ultimately contribute to the impacts.

Barbara Hunt, 944 "F" Street, spoke in support.

Mr. Haro responded to questions of Councilmember Boyajian relative to why the funds being committed to the nexus study could not be used as seed money for the entire general plan and who was going to conduct the EIR.

Continued speakers were: Jordan Werth, 2089 W. Los Altos, who spoke to the need for an updated fee schedule and to focus attention on existing needs/development; and Douglas Wactel, 2596 E. Portland, who spoke in support.

Upon call, no one else wished to be heard and President Perea closed the hearing.

Upon question of President Perea, City Attorney Montoy stated staff had conducted the required CEQA analysis. President Perea and Councilmember Boyajian briefly commented briefly on the level of CEQA conducted by staff, Council being the ultimate fact-finder, and the option of changing CEQA levels if desired.

On motion of Councilmember Duncan, seconded by Councilmember Quintero, duly carried, RESOLVED, the withdrawal of the appeal by Caltrans as outlined above hereby accepted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Perea
Noes	:	None
Absent	:	Ronquillo

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(4:55 P.M.) APPEARANCE BY BARBARA HUNT TO DISCUSS THE PURCHASING OF PUBLIC LAND

Appearance made; no action taken.

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(5:30 P.M.) HEARING ON APPEAL FILED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) ON PLANNING COMMISSION APPROVAL OF TENTATIVE TRACT NO. 4911/UGM (BONADELLE DEVELOPMENT CORPORATION), PROPERTY LOCATED ON THE SOUTHWEST CORNER OF N. WILLOW AND E. PERRIN AVENUES (*REQUEST TO CONTINUE TO JUNE 5, 2001*)

1. CONSIDER ADDENDUM TO E.A. NO. A-99-25, R-99-38, T-4911, DETERMINATION OF STUDY TO FILE A MITIGATED NEGATIVE DECLARATION
2. RESOLUTION - MAKING FINDINGS UNDER CEQA GUIDELINES AND APPROVING VESTING TENTATIVE TRACT NO. 4911/UGM, A 160-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

President Perea announced the time had arrived to consider the issue and opened the hearing. A motion to accept Caltrans' withdrawal of their appeal was made, and Planning Manager Haro advised the withdrawal letter was in receipt.

Upon call, no one wished to be heard and President Perea closed the hearing.

On motion of Councilmember Duncan, seconded by Councilmember Quintero, duly carried, RESOLVED, the withdrawal of the appeal by Caltrans as outlined above hereby accepted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Perea
Noes	:	None
Absent	:	Ronquillo

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RECESS - 5:58 P.M. - 6:08 P.M.

(1:00 P.M.) CONTINUED HEARING ON THE FY 02 CITY OF FRESNO BUDGET

DEPARTMENT OF PUBLIC UTILITIES:

Interim Public Utilities Director McIntyre gave an extensive overview of the departments' goals, FY 02's proposed utility rates (including comparisons with other cities), and along with Budget Manager Bruney responded to questions of President Perea relative to the proposed rate increases and decreases, subsidizing rates, and "eating up" reserves. Acting President Ronquillo returned to the meeting at 6:21 p.m. Mr. McIntyre continued with his overview of the department and division budgets (**9 - 0**) and concluded.

Barbara Hunt, 944 "F" Street, spoke to the issue.

Mr. McIntyre responded to questions of Councilmembers Calhoun, Duncan and Ronquillo and/or clarified issues relative to reserves being used to subsidize rates, how the rising cost of fuel would affect reserves, wastewater reserves, water, utility costs, infrastructure, new development, the surface water treatment plant, and need for a policy that provides for new development paying its way. Acting President Ronquillo left at 7:00 p.m. and was absent for the remainder of the meeting.

Lengthy discussion ensued with Mr. Bruney, Management Analyst Tierce and Mr. McIntyre responding to questions/comments of Councilmembers Boyajian, Castillo and President Perea and clarified issues relative to the \$26 million debt service, bonding, if there were sufficient reserves to cover emergencies, reasons for increases in various line items, vacancies, (**10 - 0**), heavy equipment purchases, the proposed power generator facility including cost and what it would supply, if funding to enhance objectives for the solid waste division could be reduced, tipping fees, reserves if any earmarked for implementation of water meters, setting aside funds to show good faith in renewing the Bureau of Reclamation contract, rate comparisons with comparably sized cities, when rates were last increased, the power generator, time schedule of the surface water treatment plant, the budget not being totally reflective relative to resources and true growth, and need for increase in water rates. There was no further discussion.

TRANSIT - FRESNO AREA EXPRESS (FAX):

Laid over one week.

The budget hearing was continued to May 29, 2001, at 9:00 a.m.

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(3C) CONSOLIDATION OF THE DEPARTMENTS OF ADMINISTRATIVE SERVICES AND INFORMATION SERVICES

1. * RESOLUTION NO. 01-172 - 17TH AMENDMENT TO SALARY RES. 00-186, AS AMENDED, APPROVING ITEM "c" BELOW ONLY:

- a. CREATING THE CLASS OF DIRECTOR OF ADMINISTRATIVE SERVICES AND DELETING THE CLASS OF ASSISTANT CONTROLLER (*Not approved*)**
- b. MOVING THE CLASS OF CONTROLLER FROM THE E-1 RANGE TO THE E-2 RANGE (*Not approved*)**
- c. CREATING THE CLASS OF PUBLIC AFFAIRS OFFICER AND DELETING THE CLASS OF DIRECTOR OF INFORMATION SERVICES**

2. * RESOLUTION NO. 01-173 - 21ST AMENDMENT TO PAR 00-184 CONSOLIDATING THE INFORMATION SERVICES DEPARTMENT WITH THE DEPARTMENT OF ADMINISTRATIVE SERVICES

3. * RESOLUTION NO. 01-174 - ESTABLISHING COMPARISONS FOR PURPOSES OF ESTABLISHING RETIREMENT BENEFITS FOR DELETED CLASS, AS AMENDED

Councilmember Duncan made a motion to approve staff's recommendation (resolutions 1, 2 and 3), and City Manager Hobbs responded to questions of Acting President Ronquillo relative to the proposed salary. Upon call, the motion died for lack of a second.

Councilmember Calhoun made a motion to approve Resolution #1c only to create the class of Public Affairs Officer and delete the class of Director of Information Services. Discussion ensued on whether resolutions 2 and 3 were necessary to support #1-c as amended, whereupon Mr Hobbs recommended they be adopted only to the extent that they would support #1-c. Upon the request of Councilmember Calhoun Mr. Hobbs explained his consolidation proposal. City Attorney Montoy advised resolution #3 would also be adopted as amended and explained. Brief discussion ensued on the Assistant Controller position.

On motion of Councilmember Calhoun, seconded by Councilmember Duncan, duly carried, RESOLVED, the above entitled Resolution No. 01-172 hereby adopted, as amended for "c" only, Resolution No. 01-173 adopted, and Resolution No. 01-174 adopted, as amended, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Perea
Noes	:	None
Absent	:	Ronquillo

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(5D) DIRECT CITY MANAGER TO AMEND THE CURRENT CONTRACT WITH MACIAS CONSULTING GROUP (MCG) TO ASSIST COUNCIL IN THEIR BUDGET REVIEW AND CONDUCT ADDITIONAL PERFORMANCE AUDITS OF THE POLICE, FIRE, CONVENTION CENTER AND AIRPORTS DEPARTMENTS, AND RETURN WITH AN AMENDED CONTRACT AT THE NEXT COUNCIL MEETING - PRESIDENT PEREA

Not discussed; to be rescheduled.

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ADJOURNMENT

There being no further business to bring before the Council, the hour of 7:47 p.m. having arrived and hearing no objections, President Perea declared the meeting adjourned.

APPROVED on the 5th day of June, 2001.

ATTEST:_____

Henry Perea, Council President

Yolanda Salazar, Assistant City Clerk

137-274

5/22/01